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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: the elimination of all forms of discrimination and violence against the girl child

Statement submitted by Coalition against Trafficking in Women, Congregation of Our Lady of Charity of the Good Shepherd and UNANIMA International, non-governmental organizations in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31 of 25 July 1996.

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Statement

We, NGOs working towards the realization of gender equality for women and girls and the elimination of all forms of male violence against the girl child, affirm the need to protect and ensure the human rights and equality of girls. To attain this goal, we must eradicate sexual violence and exploitation of girls.

One of the most severe, devastating, and escalating practices of gender-based violence is the commercial sexual exploitation of women and girls of all ages, including prostitution, sex trafficking, the Internet bride industry, pornography, and sex tourism.

The impact of commercial sexual exploitation on the girl child

Two million girls, aged 5 to 15, are initiated into the commercial sex industry each year.[1] Trafficking, prostitution and other forms of commercial sexual exploitation are inextricably linked: the demand for prostituted girls and women is the engine that drives the worldwide crisis of sex trafficking. The demand is fuelled by such factors as gender inequality and female poverty; the presence of the military in many parts of the world; racial myths and stereotypes; national and international economic policies favouring globalization; and countries in financial and political crisis. Under these conditions, the girl child is increasingly vulnerable to the growing reach of the global sex industry. Traffickers and pimps exploit girls seeking to improve their lives through employment, migration or other opportunities. They treat them as commodities to be bought and sold over and over, and to be repeatedly raped by the countless buyers they are required to "service" in prostitution.

The negative impact of sex trafficking on the health and human rights of girls around the world is enormous. Sexual violence is one of the leading factors of the spread of HIV/AIDS among girls. UNAIDS, UNFPA, and UNIFEM have identified gender inequality as the core cause of the rapid spread of HIV/AIDS among women and girls, citing their inability to exercise control over their bodies and their lives. Demand for prostitution and other forms of commercial sexual exploitation of girls increases with the buyers' belief that younger girls are less likely to be infected with HIV and other sexually transmitted diseases. Victims of prostitution often suffer severe health consequences including physical injuries from beatings, rapes, and unwanted sex; psychological trauma; HIV/AIDS and other sexually transmitted diseases; and alcohol and drug abuse induced by pimps or by victims' attempts to self-medicate. Women and girls suffering from these severe and often long-term health problems are hindered in attaining and advancing their human rights.

Further, girls' education is disrupted when they are trafficked into prostitution or other sexually exploitative situations such as early marriages. Without access to school, girls fail to develop their potential, often perpetuating their sexual exploitation into adulthood. Without the knowledge and training available to other youth, prostituted girls grow up to be women with few opportunities to improve their lives. Moreover, while most governments recognize girls as victims of the sex trade, they often fail to see the harms they face when they continue to be exploited after they reach adulthood.

Rather than recognizing women's human rights, some governments have adopted development policies effectively normalizing and, in some places, even legalizing the sexual violence and exploitation of prostitution and pornography.

Legal legitimation of prostitution gives men moral and social permission to purchase, use and abuse women and girls, which in turn increases the demand that fuels sex trafficking. As the demand for prostituted women and girls escalates, so does the risk of sexual exploitation for girls.

Governments' obligations to eliminate sex trafficking and commercial sexual exploitation, particularly of the girl child

International law requires governments to protect the girl child from commercial sexual exploitation and sex trafficking. The Convention on the Rights of the Child (CRC), for instance, which has been ratified by 192 countries, requires that States parties protect children from all forms of sexual exploitation and abuse, and take all measures possible to ensure that they are not abducted, sold or trafficked (articles 34 and 35). Further, the Convention's Optional Protocol on the sale of children, child prostitution and child pornography, to which over 100 governments are parties, provides more extensive requirements to end commercial sexual exploitation of children. The Optional Protocol recognizes that penalizing the demand for commercial sexual exploitation is important, since it requires punishment not only for those offering or delivering children for the purposes of sexual exploitation, but also for anyone accepting a child for such purposes (article 3). Additionally, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the Convention Against Transnational Organized Crime recognizes that all children under eighteen who are sexually exploited are trafficking victims (article 3).[ii]

Despite these and other mandates under international law to protect victims of sex trafficking and prostitution, many States parties frequently abdicate their obligations. For instance, the prostituted and trafficked girl child is routinely arrested for prostitution or other related offences and treated as a criminal, while her trafficker, pimp and buyers remain free and unpunished.

Recommendations

In order to ensure the human rights of the girl child, governments and civil society must take action to eradicate sexual violence and exploitation of girls. We urge government policy and action in the following areas:

- Implementation of preventative measures such as public education campaigns which describe the risks of trafficking, prostitution, and related forms of sexual exploitation to potential victims, and which challenge the attitudes and practices of potential perpetrators of sexual exploitation and confront the social tolerance and acceptance of prostitution and the sex industry;
- Development of educational curricula, including in the lower grades, that raise awareness about the harm of gender stereotypes and sexual objectification of women and girls;
- Elimination by governments of structural and patriarchal factors that push women and girls into trafficking and commercial sexual exploitation such as poverty, systematic violence against women and girls, gender discrimination, harmful traditional practices, and other forms of discrimination such as racism;
- Increased support and holistic services for survivors of both international and domestic sex trafficking and commercial sexual exploitation;

- Promotion and implementation of effective laws against trafficking, prostitution, sex tourism and related forms of sexual exploitation, including provisions criminalizing the demand for trafficking and prostitution and prosecuting buyers for extraterritorial offences such as sex tourism abroad;
- Development of training programs for government bodies such as law enforcement to hold perpetrators, including traffickers, pimps and buyers, accountable rather than criminalizing victims;
- Strong and effective prosecution of perpetrators of gender-based violence, including buyers and sellers of women and girls in prostitution and related practices of sexual exploitation. In all cases involving the girl child, buyers must be recognized and penalized as child abusers and rapists under applicable local laws;
- Rejection of government policies promoting prostitution, whether through legalization, decriminalization or tolerance of the sex industry;
- Rejection of the dangerous use of the misguided term "sex worker", which minimizes the abuses and exploitation of prostitution as if it were an ordinary job, particularly when referring to sexually exploited children and youth;[iii]
- Effective monitoring and prosecution of the sellers and buyers of sexual exploitation of the girl child via the Internet and other media;
- Ratification and implementation of the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others; the Convention on the Elimination of all Forms of Discrimination Against Women; the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography; and the Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

The effects of commercial sexual exploitation on women's and girls' education, health and work are severe and long-lasting. Sexual exploitation of girls is a violation of their fundamental human rights and all governments must take action to eradicate these destructive practices. Governments and civil society must recognize that the commodification and sexualization of the girl child has a profoundly negative impact on human dignity and the achievement of human rights and equality.

Notes

Statement supported and endorsed by the following non-governmental organizations in consultative status with the Economic and Social Council: Defence for Children International, Dominican Leadership Council, Equality Now, Grail, Guild of Service, International Council of Women, International Federation for Home Economics, International Presentation Association of Sisters of the Presentation, Loretto Community, Miramed Institute, Pan Pacific and South East Asia Women's Association, Peace Worldwide, Perhaps Kids Meeting Kids Can Make A Difference, School Sisters of Notre Dame, Women's Federation for World Peace International, World Alliance of Young Men's Christian Associations, World Movement of Mothers and Worldwide Organization for Women.

[i] UNFPA, Chapter 3: Ending Violence Against Women and Girls in State of World Population 2000 at http://www.unfpa.org/swp/2000/english/ch03.html.

[ii] With respect to child victims under the UN Trafficking Protocol, "The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve [force, coercion, abduction, fraud, deception and other enumerated means]." Article 3.

[iii] The Working Group on Contemporary Forms of Slavery recently deplored the use of the term "child sex worker". United Nations Economic and Social Council, SPECIFIC HUMAN RIGHTS ISSUES CONTEMPORARY FORMS OF SLAVERY: Report of the Working Group on Contemporary Forms of Slavery on its twenty-ninth session (July 20, 2004) E/CN.4/Sub.2/2004/36.